

**ENTERED**

December 07, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

FRED HOFFMAN, III,

Plaintiff,

VS.

JAVIER MURO, *et al*,

Defendants.

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CIVIL NO. 2:18-CV-333

**ORDER**

The Court is in receipt of Plaintiff Fred Hoffman, III's ("Hoffman") motions for a temporary restraining order and/or for preliminary injunction, Dkt. Nos. 91 and 102; Defendant Jeffrey Richardson's ("Richardson") Motion for Summary Judgment, Dkt. No. 93; Plaintiff's identical motions to replace Richardson with Texas Department of Criminal Justice ("TDCJ") Director Lori Davis, Dkt. Nos. 113 and 120; and the Magistrate Judge's Memorandum and Recommendation ("M&R"), Dkt. No. 134. The deadline to file objections has passed, and no objections have been filed.<sup>1</sup>

After independently reviewing the record and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 134. The Court therefore:

- **DENIES** Plaintiff's motions for a TRO and/or preliminary injunction, Dkt. Nos. 91 and 102;
- **DENIES** Plaintiff's motions to replace Richardson with TDCJ Director Lori Davis, Dkt. Nos. 113 and 120;
- **DENIES** Plaintiff's motion to amend, construed as embedded within his response to the motion for summary judgment, Dkt. No. 121; and

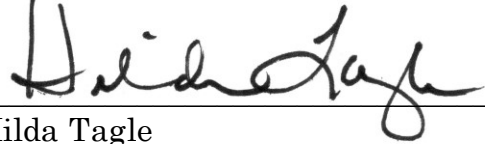
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<sup>1</sup> Plaintiff has requested and has been granted three extensions to respond to the M&R. Dkt. Nos. 141, 142, 143, 144, 150 and 151. Plaintiff's final deadline to respond to the M&R was November 10, 2021. Dkt. No. 151. On November 15, 2021, Plaintiff filed a document titled "Supplemental Exhibit FF" in which Plaintiff complained of mail irregularities. Dkt. No. 156. To the extent that the November 15, 2021 document can be construed as a response and/or objections to the M&R, it fails to address the arguments in the M&R.

- **GRANTS** Richardson's Motion for Summary Judgment, Dkt. No. 93.

Plaintiff's retaliation claims against Richardson for injunctive relief are  
**DISMISSED AS MOOT.**

SIGNED this 6th day of December 2021.

A handwritten signature in black ink, appearing to read 'Hilda Tagle', written over a horizontal line.

Hilda Tagle  
Senior United States District Judge